

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

REC'D cob
~~FILED~~
CHARLOTTE, N. C.

JUN 28 2005

U. S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES OF AMERICA
Plaintiff,

v.

KAY F. WHITENER,
Defendant,

and

LEE INDUSTRIES, INC.,
Garnishee.

CASE NO. 5:92CV6-MU
(Financial Litigation Unit)

ORDER OF CONTINUING GARNISHMENT

A Writ of Garnishment, directed to garnishee, has been duly issued and served upon the garnishee. Pursuant to the Writ of Garnishment, the garnishee has filed an Answer to the writ stating that at the time of the service of the writ, they had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings.

The plaintiff is entitled to a wage garnishment of 25% of the defendant's net income and has satisfied the prerequisites. *See* 15 U.S.C. §1673.

IT IS ORDERED that the garnishee pay the plaintiff 25% of the defendant's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments and continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to the defendant or until further Order of this Court.

Payments should be made payable to the United States Department of Justice and mailed

DOCUMENT
SCANNED

to the United States Attorney's Office, 227 West Trade Street, Suite 1650, Charlotte, North Carolina,
28202.

In order to ensure that each payment is credited properly, please include the following
information on each check: Court Number 5:92CV6-MU, District Number: 058.

This 7th day of July, 2005.

Carl Horn, III
UNITED STATES ~~DISTRICT~~ JUDGE
MAGISTRATE

CERTIFICATE OF SERVICE

I certify that on the 28th day of June, 2005, the foregoing Order of Continuing Garnishment was served upon the parties listed below by mailing a copy thereof, postage prepaid and properly addressed as follows:

Kay F. Whitener
6922 Greedy Highway
Hickory, NC 28602

Lee Industries, Inc.
401 West 25th Street
Newton, NC 28658

Jennifer A. Youngs
Assistant United States Attorney
227 W. Trade Street, Suite 1650
Charlotte, NC 28202



Patricia E. Gard
Financial Litigation Unit